IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 4007 OF 2005

AND

CIVIL APPLICATION NO. 4008 OF 2005

IN

FIRST APPEAL STAMP NO. 19914 OF 2005

Union of India ..Appellants

versus

The New India Assurance

Co. Ltd. & Anr. ..Respondents

Mr. A. N. Samant for the Appellants.

Mr. K. A. Motwani for the Respondents.

CORAM : D. G. DESHPANDE,J.

DATE : 12TH SEPTEMBER,2005

P.C. :

1. Heard counsel for the appellants and the respondents.

2. Civil Application No. 4007 of 2005 is for condonation of delay. By consent, delay is condoned Civil Application No.4007 of 2005 is allowed and disposed of.

3. Appeal is admitted.

4. So far as Civil Application No. 4008 of 2005 for stay is concerned, by consent stay on execution of the order under Appeal upon the Appellants depositing the awarded amount in this Court within eight weeks from today. The New India Assurance Co. Ltd. will be at liberty to withdraw the amount if and when deposited in this Court upon giving security / guarantee to the satisfaction of the Registrar General of this Court. Civil Application No. 4008 of 2005 is allowed and disposed of.

5. As both the respondents are represented, there is no need of service of process on the respondents.

6. Filing of appeal paper book is dispensed with.

7. Appeal to be placed on board for final hearing on 27.9.205 at 3.00 p.m.

12.9.2005 (D.G. DESHPANDE, J.)

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